IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST

TWO THOUSAND AND FOUR

PRESENT

HON'BLE MR. JUSTICE BILAL NAZKI

WRIT PETITION No. 20894 of 1995

Between:

Duvuru Venkata Ramana Reddy

S/o Pola Reddy
Deruvukatta Hamlet of Puchalpally,

Nellore district.

..... PETITIONER

AND

1 The Joint Collector
Nellore Dist.
2 Revenue Divisional Officer,

Gudur, Nellore Dist.
3 The Mandal Revenue Officer
Kota Mandal, Nellore Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus declaring the action of the
3rd respondent i.e. Mandal Revenue Officer, Kota Mandal, Nellore District in issuing notice u/s.7 of the Act of 3 of 1905 directing the petitioner to show cause why they should not be evicted from 0.90 cents of lands in sy.no.162 treating the same as porambur as illegal and without jurisdiction and restraining the respondent from

taking any action in pursuance of the notice dt.19-8-1995.

Counsel for the Petitioner :MR.P.KRISHNA REDDY

Counsel for the Respondents :G.P. FOR REVENUE

The Court made the following :

ORDER:

The grievance of the petitioner is that although notice under Section 7 of the Act 3 of 1905 was given to him and he had filed objections to it, but no order was passed, therefore he apprehends eviction without passing any order. The respondents have submitted that notice under Section 7 of the Act 3 of 1905 had been given and the petitioner did not choose to file reply, but rushed to this Court and filed the writ petition. In view of these assertions, I direct that the petitioner may file his objections to the notice issued under Section 7 of the Act within four weeks from the date of receipt of this order and the matter be decided by the Mandal Revenue Officer, Kota Mandal, Nellore district, who may thereafter pass the order after hearing the petitioner. Till the matter is decided finally by Mandal Revenue Officer, the petitioner will not be dispossessed.

The writ petition is accordingly disposed of. No order as to costs.

12-08-2004

bsc

To

1 The Joint Collector
Nellore District.
2 The Revenue Divisional Officer
Gudur, Nellore Dist.
3 The Mandal Revenue Officer
Kota Mandal, Nellore Dist.

4. 2 CCs to Govt. Pleader for Revenue, High Court Buildings,

Hyderabad (OUT)

5. 2 CD copies